



This document is scheduled to be published in the Federal Register on 01/05/2012 and available online at <http://federalregister.gov/a/2011-33841>, and on FDsys.gov

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities: Rules Relating to Regulation of Domestic Exchange-Traded Options

Agency: Commodity Futures Trading Commission

Action: Extension of an Existing Collection

SUMMARY: The Commodity Futures Trading Commission (CFTC) is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 et seq., Federal agencies are required to publish notice in the Federal Register concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on rules related to risk disclosure concerning exchange traded commodity options.

DATES: Comments must be submitted on or before [insert date **60 days after publication**].

ADDRESSES: Comments may be mailed to William Penner, Division of Clearing and Intermediary Oversight, U.S. Commodity Futures Trading Commission, 1155 21st Street, NW, Washington, DC 20581.

FOR FURTHER INFORMATION CONTACT: Ryne Miller, (202) 418-5921; FAX: (202) 418-5536; email: rmiller@cftc.gov

SUPPLEMENTAL INFORMATION: Under the PRA, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. “Collection of information” is defined in 44 U.S.C. 3502(3) and 5 C.F.R. 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), requires Federal agencies to provide a 60-day notice in the Federal Register concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the CFTC is publishing notice of the proposed collection of information listed below.

With respect to the following collection of information, the CFTC invites comments on:

- Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have a practical use;
- The accuracy of the Commission’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Ways to enhance the quality, usefulness, and clarity of the information to be collected; and
- Ways to minimize the burden of collection of information on those who are to respond, including through the use of appropriate automated electronic,

mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses.

Rules Relating to Regulation of Domestic Exchange-Traded Options, OMB control number 3038-0007—Extension

The rules require futures commission merchants and introducing brokers: (1) to provide their customers with standard risk disclosure statements concerning the risk of trading commodity interests; and (2) to retain all promotional material and the source of authority for information contained therein. The purpose of these rules is to ensure that customers are advised of the risks of trading commodity interests and to avoid fraud and misrepresentation. This information collection contains the recordkeeping and reporting requirements needed to ensure regulatory compliance with Commission rules relating to this issue.

The Commission estimates the burden of this collection of information as follows:

ESTIMATED ANNUAL REPORTING BURDEN

REGULATION	ESTIMATED # OF RESPONDENTS OR RECORDKEEPERS PER YEAR	REPORTS ANNUALLY BY EACH RESPONDENT	TOTAL ANNUAL RESPONSES	ESTIMATED AVERAGE NUMBER OF HOURS PER RESPONSE	ESTIMATED TOTAL NUMBER OF HOURS OF ANNUAL BURDEN IN FISCAL YEAR
REPORTING:					
38.3, 38.4, 40.2 and 40.3	13.00	2.00	26.00	25.00	650

(PROCEDURE FOR
DESIGNATION OR
SELF-
CERTIFICATION)

33.7 – (RISK DISCLOSURE)	120.00	115.00	13,800.00	0.08	1,104.00
-----------------------------	--------	--------	-----------	------	----------

SUBTOTAL (REPORTING REQUIREMENTS)	133.00		13,826.00		1,754.00
---	--------	--	-----------	--	----------

REGULATION	ESTIMATED # OF RESPONDENTS OR RECORDKEEPERS PER YEAR	REPORTS ANNUALLY BY EACH RESPONDENT	TOTAL ANNUAL RESPONSES	ESTIMATED AVERAGE NUMBER OF HOURS PER RESPONSE	ESTIMATED TOTAL NUMBER OF HOURS OF ANNUAL BURDEN IN FISCAL YEAR
------------	---	--	------------------------------	--	---

RECORDKEEPING:

33.8 – (RETENTION OF PROMOTIONAL MATERIAL)	170.00	1.00	170.00	25.00	4,250.00
--	--------	------	--------	-------	----------

SUBTOTAL
(RECORDKEEPING
REQUIREMENTS)

GRAND TOTAL (REPORTING AND RECORDKEEPING)	303.00		13,996.00		6,004.00
---	--------	--	-----------	--	----------

There are no capital costs or operating and maintenance costs associated with this collection.

Sauntia S. Warfield

Assistant Secretary of the Commission

Dated: December 30, 2011

[FR Doc. 2011-33841 Filed 01/04/2012 at 8:45 am; Publication Date: 01/05/2012]